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IFW



Application No. (if known): 10/600,584

Attorney Docket No.: 55670DIV(45858)

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MS Amendment
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Transmittal (1 page)
Supplemental Response to Restriction Requirement (2 pages)
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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/600,584-Conf. #5497
	Filing Date	June 19, 2003
	First Named Inventor	Robert W. Blakesley
	Art Unit	1631
	Examiner Name	J. S. Brusca
Total Number of Pages in This Submission	Attorney Docket Number	55670DIV(45858)

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature	<i>Kathryn A. Piffat, Ph.D.</i>		
Printed name	Kathryn A. Piffat, Ph.D.		
Date	April 12, 2006	Reg. No.	34,901



Docket No.: 55670DIV(45858)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert W. Blakesley et al.

Application No.: 10/600,584

Confirmation No.: 5497

Filed: June 19, 2003

Art Unit: 1631

For: ARCHIVING OF VECTORS

Examiner: J. S. Brusca

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Previously in response to the restriction requirement set forth in the Office Action mailed December 16, 2005, applicant provisionally elected claims 26-28 (Group I) for continued examination, with traverse, via filing of the Response to Restriction Requirement and Supplemental Preliminary Amendment on March 14, 2006.

The Examiner has required a species election among the species of sample for Group I from among the samples listed in claim 28, which currently reads as follows:

28 (original). The method of claim 26, wherein said sample is selected from the group consisting of host cells, viruses, extracts of host cells or viruses, lysates of host cells or viruses, host cell or virus debris, and combinations thereof.

Applicants hereby elect "host cells" as the elected species, but with traverse. Applicants respectfully disagree that a species election should be required in this case, in

view of the fact that the claim includes "combinations thereof" as a possibility, as it is envisioned that biological samples often include a mixture of elements. Moreover, the additional searching burden posed by the present case should be minimal.

Prior to an allowance on the merits, Applicants expect that the Office will conduct a thorough search of the elected claims including, but not limited to, the invention encompassed by the species election.

It is believed that no extension of time is required. If, however, a petition for an extension of time is required, then the Examiner is requested to treat this as a conditional petition for an extension of time and the Commissioner is hereby authorized to charge our deposit account no. 04-1105 for the appropriate fee. Although it is not believed that any additional fee is required to consider this submission, the Commissioner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Dated: April 12, 2006

Respectfully submitted,

By Kathryn A. Piffat, Ph.D.
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